

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The Examiner indicated that claims 6-10 contain allowable subject matter. Applicant acknowledges and appreciates the allowance of claims 6-10.

The Examiner rejected claims 1-5 under 35 U.S.C. 102(e) as being anticipated by Inoue et al., U.S. Pat. Pub. No. 2002/0122970.

Applicant notes that claims 1-5 have been cancelled.

The Examiner provisionally rejected claims 1-10 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 7-25 of co-pending Application No. 10/352,958 (2003/0143451).

In regards to claims 1-5, Applicant notes that claims 1-5 have been cancelled.

In regards to claims 6-10, Applicant notes that a timely filed terminal disclaimer in accordance with 37 CFR 1.321(c) is attached to the present amendment, which removes co-pending Application No. 10/352,958 as a reference, thus, overcoming the double patenting rejection.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SHM-15712.

Respectfully submitted,

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